

# TEMPORARY

NO. 70039-T

## APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 20 2003

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAY 20 2003

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The applicant **SCOTT AND MARIE NYGREN**, hereby make application for permission to change the **PORTION OF THE EXISTING PLACE OF USE** of water heretofore appropriated under **TRUCKEE CARSON IRRIGATION DISTRICT SERIAL NO. 811 AND 816 UNITED STATES OF AMERICA V ORR DITCH CO. IN EQUITY NO. A-3, CLAIM NO. 3; UNITED STATES OF AMERICA V. ALPINE LAND AND RESERVOIR CO. NO. D-183; BOTH IN THE FEDERAL DISTRICT COURT OF NEVADA. AND 58309**

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1. The source of water is **TRUCKEE RIVER AND CARSON RIVER**
2. The amount of water to be changed **17.58 AC. @ 3.5 CONVERTED TO 13.67 AC @ 4.5**
3. The water to be used for **AS DECREED**
4. The water heretofore permitted for **AS DECREED**
5. The water is to be diverted at the following point **LAHONTAN DAM BEING WITHIN THE SW 1/4 SE 1/4, SECTION 33, TOWNSHIP 19 NORTH, RANGE 26 EAST, M.D.B.&M.**
6. The existing permitted point of diversion is located within **NO CHANGE**
7. Proposed place of use **1.50 AC NW SE, 2.00 AC. NE SE, 10.17 AC. SE SE ALL IN SECTION 30, T19N., R28E., M.D.B.&M. (STACKING WATER RIGHT ON PERMIT 48670 WHICH IS CONTESTED) 4.5 WATER DUTY**
8. Existing place of use **6.15 AC. NW SW, 11.45 AC. NE NE ALL IN SECTION 30, T19N., R30E. M.D.B.&M. (PERMIT 58309, PROTEST WITHDRAWN) 3.5 WATER DUTY**
9. Use will be from **15-MAR-03 to 15-NOV-03** of each year.
10. Use was permitted from **AS DECREED to AS DECREED** of each year.
11. Description of proposed works. **DAMS, CANALS & DITCHES**
12. Estimated cost of works **COMPLETE**
13. Estimated time required to construct works **COMPLETE**
14. Estimated time required to complete the application of water to beneficial use **NA**
15. Remarks: **NA**

By **Scott Nygren**  
**s/Scott Nygren Permittee**  
**6400 Stillwater Rd**  
**Fallon, NV 89406**

Compared lb/dr lb/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions.

This temporary permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under Permit 58309 which changed the place of use of a portion of the Newlands Reclamation Project rights in the Truckee and Carson River Final Decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit does not authorize more than the decreed duty to be placed on the proposed place of use.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2003** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **61.52 acre-feet as decreed.**

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **22nd** day of **September**, A.D. **2003**

  
State Engineer

**EXPIRED**

**DATE** **NOV 15 2003** *cm*

**TEMPORARY**